

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Mariam Sheree Cairelli, Administrator,)	CASE NO. 1:00CV841
)	
Plaintiff,)	JUDGE SOLOMON OLIVER, JR.
)	
-vs.-)	
)	MEMORANDUM IN SUPPORT
Dr. Mohammad M. Vakilian <i>et al</i> ,)	
)	
Defendants.)	

The accompanying motion of Plaintiff Mariam Sheree Cairelli, Administrator, requests leave to file a motion on or before April 13, 2001 seeking to join the estate of Dr. Mohammad M. Vakilian as a defendant herein. This enlargement of time is needed because the “Petition for Probate and/or Appointment of Personal Representative” of the potential estate before the Probate Court of Oakland County, Michigan that was submitted on behalf of Plaintiff will not be heard until April 11, 2001 by that court. *See* Exhibit (accompanying copy of probate documents).

Defendant Dr. Mohammad M. Vakilian died on August 18, 2000. Plaintiff was at first informed by Defendants’ counsel that an estate had been established for Dr. Vakilian in the county of his residence, Oakland County, Michigan. At the Case Management Conference of December 8, 2000, Defendants’ counsel explained that they were in error and that there was no estate for Dr. Vakilian. At the CMC, the undersigned said that Plaintiff would seek to have an estate established.

Thereafter the undersigned sought suitable local counsel and was unsuccessful until January 5, 2000 when he hired The Findling Law Firm, P.L.C. in Royal Oak, Michigan on behalf of Plaintiff. On January 9, 2001, that firm filed Petition for Probate and/or Appointment of Personal Representative for

Dr. Vakilian in the Oakland County, Michigan Probate Court. *See* Exhibit. Due to the requirement of advertising for the sake of giving notice to potential heirs of Dr. Vakilian, *see* Exhibit at page g, the hearing at which formation of an estate and appointment of an administrator is expected will not be until April 11, 2001.

At the hearing, the Findling Law Firm expects that Stephen C. Alberty, a person registered as a Public Administrator in Michigan, is expected to be appointed as personal representative of the estate to be established at that time. Upon confirmation of this information from the Findling firm, Plaintiff will move to join Mr. Alberty, in his capacity as personal representative of the projected estate, as a defendant in this case. Plaintiff projects filing such motion by April 13, 2001 and hence the request for enlargement of time by the accompanying motion.

Respectfully submitted:

/s/ William M. Saks

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